

Andree Greenberg - Critics question why Redwood City lets developer control environmental studies of Saltworks project

From: Stephen Knight <sknight@savesfbay.org>
To: Andree Greenberg <agreenberg@waterboards.ca.gov>
Date: 3/14/2012 1:30 PM
Subject: Critics question why Redwood City lets developer control environmental studies of Saltworks project

In the news today, Redwood City residents are demanding changes to ensure a fair and transparent environmental review process for the controversial and increasingly troubled Cargill/DMB bay fill scheme ([Critics question why Redwood City lets developer control environmental studies of Saltworks project](#)).

When [Redwood City Neighbors United](#) learned recently that all but two of the more than 17 sections that are part of the Cargill development's Environmental Impact Report are being done by consultants that work directly for Cargill/DMB, they wrote a [letter to the City Council](#) requesting that the City uphold its commitment to a "transparent and fair process" and ensure a truly independent report, and [published an op-ed](#) (below).

The ability for the developers to edit, delete, spin, and otherwise control information provides an enormous opportunity for Cargill/DMB to inappropriately downplay their bay fill project's enormous impact on the environment. And Cargill/DMB, who recently told the Arizona Republic that these restorable natural baylands are an "industrial salt mine," continue to demonstrate that [they will say anything](#) to get their project approved. As [this report](#) from the City of San Jose helps demonstrate, letting developers control their own approval process is no longer the accepted practice.

--
 Stephen Knight
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Redwood City shouldn't let developer call the shots on Saltworks EIR

PALO ALTO DAILY NEWS
By Dan Ponti and Ramona Ambrozic
 03/12/2012

In 2009, when Cargill and development partner DMB Associates submitted their Saltworks Project proposal to develop on the Redwood City salt ponds, the city declared: "We are committed to conducting a transparent and fair process and want to engage the community in a manner that allows for open dialogue and a thorough review that will shape the proposed project and its alternatives."

City officials have made similar statements promising a fair and transparent environmental review process numerous times over the last 18 months.

To their credit, Redwood City officials have conducted an excellent public outreach program. Efforts such as the focused scoping workshops, an extended public scoping comment period, and the city's website on the Saltworks Project are all to be commended.

But what about the "transparent and fair" part of the city's commitment? We believe this means that no interested party be given the opportunity to influence the content and conclusions of the project's environmental impact study before it is completed. It also means that consultants retained to provide technical analysis on project impacts should not be placed in a position where they may feel obligated to favor one conclusion over another.

So, we are surprised and disappointed to learn that technical reports for all but two of the 17 major sections that make up the environmental impact report are being written by consultants selected, hired and directly overseen by the developer DMB.

That's right.

These consultants, who are now responsible for a significant part of the work behind the Saltworks EIR, work for Cargill/DMB, not the city.

And they submit their reports to DMB before DMB gives them to the city for review and incorporation into the environmental impact report. At minimum, this creates the appearance of a conflict of interest that will result in studies that may be perceived by the public as biased. At worst, it affords Cargill/DMB the clear opportunity to control the content and conclusions of reports before anyone, including the city, gets to see them.

Why might a developer want to control the content of an environmental impact report? It's all about money. A report influenced to minimize environmental impacts would make the project easier to approve and save the developer countless dollars in mitigation costs. Do we know if any undue influence is occurring? No -- and that's the point. We can never know. Whatever conversations go on between DMB and its consultants occur in private.

Is all of this legal? Unfortunately, yes. Cities have discretion over how they conduct their environmental reviews. But is it the right route for our city to be taking for a development as large and controversial as Saltworks? Is it consistent with the promises made to the community of a "transparent and fair" process?

Many nearby cities recognize the inherent problem with allowing developers to select and directly oversee the consultants performing work for environmental impact reports. Santa Clara, San Mateo, San Francisco and others have put procedures in place to avoid the perception of bias in those reports.

These cities oversee the work for all of the consultants, and then the developer pays the cost. Consultants work for the city as neutral parties, generating studies and reports that can truly be viewed as independent and fair because they are placed directly in the city's hands when completed. Redwood City must do the same and take ultimate responsibility for the content and credibility of every section of the Saltworks Project environmental impact report.

Redwood City Neighbors United (RCNU) recently sent a letter to our city council urging the city to do exactly this. You can view our letter to the council at http://www.rcnu.org/assets/files/RCNU_Council_Letter_EIR.pdf.

Right now is an excellent time to make this change because DMB recently asked the city to suspend all work on the environmental impact report. When the Saltworks Project review again moves forward, the process can be put on the right track under these new transparent procedures.

Will the city make these important changes? It will if residents demand a truly independent and credible report that the city and other agencies can rely on for making an informed decision. Please join with Redwood City Neighbors United and ask the council to stop letting Cargill/DMB hire and oversee their own consultants for the city's Saltworks EIR. Comments can be sent directly to council@redwoodcity.org. Together we can help ensure the fair and transparent process that we have been promised.

Dan Ponti and Ramona Ambrozic are Redwood City residents and co-chairs of Redwood City Neighbors United.

This e-mail was sent to agreenberg@waterboards.ca.gov by sknight@savesfbay.org.

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Andree Greenberg - Why is Redwood City letting Cargill write its own EIR on Saltworks?

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Date: 3/16/2012 4:22 PM
Subject: Why is Redwood City letting Cargill write its own EIR on Saltworks?

In the news this week, Redwood City residents are demanding changes to ensure a fair and transparent environmental review process for Cargill/DMB's controversial bay fill scheme:

http://www.mercurynews.com/peninsula/ci_20168738/critics-question-why-redwood-city-lets-developer-control

Redwood City Neighbors United discovered from documents that most of the development's Environmental Impact Report studies are being conducted by consultants working directly for Cargill/DMB. As this report from the City of San Jose shows, letting developers control their own approval process is no longer considered a best practice. Redwood City residents are asking the City to stand by its commitment and ensure a truly independent review, by asserting control over the EIR. (see Op-ed below).

With Cargill/DMB retaining control to edit, delete, spin this information, the fox is managing the hen house in Redwood City. Cargill/DMB recently told the *Arizona Republic* newspaper that these restorable bay ponds are an "industrial salt mine," demonstrating that they will say anything to get their project approved.

PALO ALTO DAILY NEWS 03/12/2012

OPINION:

Redwood City shouldn't let developer call the shots on Saltworks EIR

By Dan Ponti and Ramona Ambrozic

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Dan Ponti and Ramona Ambrozic are Redwood City residents and co-chairs of Redwood City Neighbors United.

Andree Greenberg - Letter from Mayor Alicia Aguirre

From: MGR-Malcolm Smith <malcolm.smith@REDWOODCITY.ORG>
To: <MGR-SALTWORKS-EXTERNAL@LISTSERV.REDWOODCITY.ORG>
Date: 3/14/2012 4:31 PM
Subject: Letter from Mayor Alicia Aguirre

Good afternoon. Below is a letter from Redwood City Mayor Alicia Aguirre, which clarifies the roles of the City and its consultants, regarding the environmental review process for the Saltworks development proposal. This was sent today to the Daily News.

Thank you,

~malcolm

Editor –

I want to assure our community that Redwood City will have complete control over the preparation and drafting of an EIR document for the Saltworks proposal. We are in the early “scoping” period, and have not yet begun development of the EIR itself. That won’t begin until after our thorough review and evaluation of the application materials.

Since the application was submitted in 2009, the City has retained experts to assist the City in evaluating the application and its initial “project description” (the project the applicant wants evaluated). These top consultants conducted independent analyses of the project description and other information submitted by the applicant, DMB, in a lengthy, exacting, and detailed process, extensively involving City staff, City consultants, and significant community/stakeholder input and comment.

Now, it’s expected that DMB will be submitting a revised project description. The City’s extensive review / evaluation / input process will begin again, including the use of the City’s independent consultants overseen by City staff.

The technical reports being written by DMB’s consultants are for the purpose of defining and clarifying their project description. While the City’s consultants will use the information provided by DMB, it will only be a starting point. The City and its consultants will conduct a great deal of independent research and analyses, and only when the new review and scoping process is complete, and the project description is finalized and ready for environmental review, will the City begin preparation of the EIR document, independently, with the City’s own consultants.

It’s a fundamental responsibility of Redwood City to analyze the project description in a transparent, impartial, detailed manner, and bring it into the public review process, including in-depth examination by the regulatory agencies involved, to identify any insufficiencies, omissions, or areas where additional work must be done.

The final content and conclusions of the EIR will be those of the City. The multiple rounds of scoping meetings and the resulting hundreds of thoughtful public comments are evidence of our commitment to the ongoing open, transparent, and independent review process of the Saltworks proposal.

Sincerely,
Alicia Aguirre

Mayor

(sent by)
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Public Communications Manager
City of Redwood City, California

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